

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION**

OLIVIA Y., et al

PLAINTIFFS

vs

CIVIL ACTION NO. 3:04cv251LN

HALEY BARBOUR, et al.

DEFENDANTS

**DEFENDANTS' AND MISSISSIPPI DEPARTMENT OF HUMAN SERVICES'
RESPONSE TO 30(b)(6) DEPOSITION NOTICE CONCERNING PROVISION OF
SERVICES TO FOSTER CHILDREN**

GENERAL OBJECTION

Plaintiff's Notice to Take 30(b)(6) Deposition of the Department of Human Services filed on or about May 25, 2005 is overly broad, unduly burdensome and seeks information and testimony beyond the scope of this litigation.

In particular, Defendants and Mississippi Department of Human Services ("MDHS") object to the proposed deposition topics to the extent that Plaintiffs seek testimony regarding claims that were dismissed in this action by Order of the Court November 9, 2004.

Without waiving the foregoing objections, and subject to them, Defendants and MDHS respond as follows to the specific topics of Plaintiffs' Notice of 30(b)(6) Deposition of the Department of Human Services concerning provision of services to foster children as follows:

TOPIC NO. 1: The process by which the following needs of children placed in Mississippi Department of Human Services custody are assessed:

- a. Physical health;
- b. Dental health;
- c. Mental health, including but not limited to psychiatric/psychological disorders, behavioral issues, and neurological disabilities;

- d. Developmental needs; and
- e. Educational needs, including but not limited to appropriate special educational services and access to a high school degree rather than a GED.

RESPONSE TO TOPIC NO. 1:

Defendants and MDHS state that they have identified Gail Young, Placement Unit Division Director II, as the 30(b)(6) witness regarding the matters set forth in Topic 1.

TOPIC NO. 2: The process by which the following needs of children placed in Mississippi Department of Human Services custody are provided for:

- a. Physical health;
- b. Dental health;
- c. Mental health, including but not limited to psychiatric/psychological disorders, behavioral issues, and neurological disabilities;
- d. Developmental needs; and
- e. Educational needs, including but not limited to appropriate special educational services and access to a high school degree rather than a GED.

RESPONSE TO TOPIC NO. 2: Defendants and MDHS state that they have identified Gail Young, Placement Unit Division Director II, as the 30(b)(6) witness regarding the matters set forth in Topic 2.

TOPIC NO. 3: The interaction between the Division of Family and Children's Services and other State agencies providing services to children, including:

- a. Other divisions within the Department of Human Services;
- b. The Department of Health; and
- c. The Department of Mental Health.

RESPONSE TO TOPIC NO. 3: Defendants and MDHS state that they have identified Gail Young, Placement Unit Division Director II, as the 30(b)(6) witness regarding the matters set forth in Topic 3.

TOPIC NO. 4: The interaction between the Division of Family and Children's Services and all other public and private providers of services to children in custody, including but not limited to emergency shelters, residential treatment centers, therapeutic foster homes, group homes, mental retardation centers, and any institutions licensed by the Department of Health or Department of Mental Health in which children have resided after being placed in Mississippi Department of Human Services custody by a Youth Court.

RESPONSE TO TOPIC NO. 4: Defendants and MDHS state that they have identified Gail Young, Placement Unit Division Director II, as the 30(b)(6) witness regarding the matters set forth in Topic 4.

TOPIC NO. 5: The nature and scope of medical services (including but not limited to mental health services) available and provided to children in custody, whether through public or private entities.

RESPONSE TO TOPIC NO. 5: Defendants and MDHS state that they have identified Gail Young, Placement Unit Division Director II, as the 30(b)(6) witness regarding the matters set forth in Topic 5.

TOPIC NO. 6: The nature and scope of medical services (including but not limited to mental health services) reimbursed by Medicaid for children in custody.

RESPONSE TO TOPIC NO. 6: Defendants and MDHS state that they have identified Gail Young, Placement Unit Division Director II, as the 30(b)(6) witness regarding the matters set forth in Topic 6.

TOPIC NO. 7: The nature and scope of any assessment of State-wide service needs for children in custody by the Division of Family and Children's Services.

RESPONSE TO TOPIC NO. 7: Defendants and MDHS state that they have identified Gail Young, Placement Unit Division Director II, as the 30(b)(6) witness regarding the matters set forth in Topic 7.

TOPIC NO. 8: The nature and scope of contracts for services to children in custody entered into by the Division of Family and Children's Services and the process by which such contracting occurs.

RESPONSE TO TOPIC NO. 8: Defendants and MDHS state that they have identified Gail Young, Placement Unit Division Director II, as the 30(b)(6) witness regarding the matters set forth in Topic 8.

TOPIC NO. 9: The sources and scope of aggregate data concerning the topics listed above.

RESPONSE TO TOPIC NO. 9: Defendants and MDHS state that they have identified Nancy Meaders, Project Officer IV, Special, as the 30(b)(6) witness regarding the matters set forth in Topic 9.

TOPIC NO. 10: The location of documents concerning the topics listed above and the individuals responsible for maintaining those documents.

RESPONSE TO TOPIC NO. 10: Defendants and MDHS state that they have identified Gail Young, Placement Unit Division Director II, and Nancy Meaders, Project Officer IV, Special, as the 30(b)(6) witnesses regarding the matters set forth in Topic 10.

This the 10th day of June, 2005.

Respectfully submitted,

**HALEY BARBOUR, as Governor of the State of
Mississippi; DONALD TAYLOR, as Executive Director
of the Department of Human Services; and
BILLY MANGOLD as Director of the Division of
Family and Children's Services**

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/s/ Betty A. Mallett
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CERTIFICATE OF SERVICE

I hereby certify that I have this day electronically filed the foregoing with the Clerk of the Court using the ECF system which sent notification of such filing to the following:

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I also certify that I have this day served a copy of the foregoing on the following non-ECF participants by United States Mail, postage prepaid:

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SO CERTIFIED, this the 10th day of June, 2005.

/s/ Betty A. Mallett
Betty A. Mallett